

Grayson Flory
PO Box 2142
Manhattan Beach, CA 90267
April 22, 2019

RE: FREEDOM OF INFORMATION ACT REQUEST

To Whom It May Concern,

This is a request under the Freedom of Information Act (FOIA), 5 USC §552, and the regulations promulgated thereunder. I will pay any reasonable fee incurred in connection with the processing of this request.

I request disclosure of any and all records that were prepared, received, transmitted, collected and/or maintained by the Department of Homeland Security and/or Customs and Border Protection concerning **No More Deaths**, also known as **No Más Muertes**, between November 2016 and January 2019.

I request copies of emails and any other correspondence and records of correspondence between Customs and Border Protection and/or Department of Homeland Security and other state, federal, and local agencies, including but not limited to the Bureau of Land Management (BLM), the United States Attorney's Office for the District of Arizona, the Department of Defense (DOD), the Federal Bureau of Investigation (FBI), the US Fish and Wildlife Service (FWS), the Santa Cruz County Sheriff's Office, and the Pima County Sheriff's Department.

Further, I request copies of the following documents:

Requests for authority to make confidential expenditures

Reports of informants, anonymous informants, non-confidential informants, confidential informants, and/or controlled informants

Requests for mail covers, with records of the action ordered thereon and all reports issued pursuant thereto

Requests for extension of mail covers, with records of the action ordered

Photostatic copies of the faces of envelopes or other photographs of mail matter

Requests for "criminal record" from any federal, state, and/or local law enforcement agency

Incident reports

Incident summaries

Electronic Communications

Requests for surveillance

Surveillance logs

Photographs taken during the course of any physical surveillance

Requests for electronic surveillance

Electronic surveillance logs

Electronic surveillance transcripts

Summaries of electronic surveillance

In past communications referencing No More Deaths, law enforcement agencies have used the following terms to describe the group, its volunteers, and its activities, and these terms may aid in your search: “No More Deaths,” “No Más Muertes,” “NMD,” “Samaritans,” “Byrd Camp,” “the Barn,” “stash house,” “No More Deaths camp,” “humanitarian aid,” “humanitarian aid workers,” “Unitarian Universalist Church of Tucson,” “UUCT,” “desert aid,” “Desert Aid Working Group,” “DAWG.”

If documents are denied in part or in whole, please specify which exemption(s) is (are) claimed for each passage or whole document denied. Please provide a complete itemized inventory and a detailed factual justification of total or partial denial of documents. Specify the number of pages in each document and the total number of pages pertaining to this request. For “classified” material denied, please include the following information: the classification (confidential, secret or top secret); identity of the classifier; date or event for automatic declassification or classification review or downgrading; if applicable, identity of official authorizing extension of automatic declassification or review past six years; and, if applicable, the reason for extended classification beyond six years.

In excising material, please “black out” the material rather than “white out” or “cut out.” I expect, as provided by FOIA, that the remaining non-exempt portions of documents will be released.

I want all pages released regardless of the extent of excising, even if all that remains are the stationery headings or administrative markings.

As I expect to appeal any denials, please specify the office and address to which an appeal should be directed.

I request that I be properly classified as a news media requester. I am a freelance writer for *Earth First! Journal* and I am requesting this information in that editorial capacity.

Earth First! Journal is widely recognized for its reporting, publishing regular features on issues of public interest and importance, such as the below examples:

- <https://earthfirstjournal.org/newswire/2018/08/11/alleged-elf-and-alf-fugitive-joseph-dibee-arrested-after-12-years/>

- <https://earthfirstjournal.org/newswire/2018/05/18/the-fire-is-catching-mountain-valley-pipeline-faces-fierce-opposition-in-the-virginias/>

In addition, I have covered areas related to this request, and plan to use my editorial skills to analyze and produce original reporting work for *Earth First! Journal's* audience of thousands of annual readers online and in print. For example, I authored an article, titled "We're Filing a Lawsuit Against the FBI For Screwing with Our Mail and Trying to Hide It," that was published in *Earth First! Journal: Volume 37 Number 2, Litha/Summer 2017*, pages 39-41. I used information obtained through Freedom of Information Act requests as the article's primary sources.

I have also written extensively about government surveillance of activists groups and movements online and in print. Here is a sample article I wrote for the *Earth First! Journal's* website in 2013. Versions of this article were also featured in other publications that share information with the public, including smashhls.com and *Slingshot!*:

- <https://earthfirstjournal.org/newswire/2013/11/05/must-be-doing-something-right-smash-hls-ge-trees-burglary-tools-and-the-growing-threat-of-state-repression/>

If you have any questions about my media status, or require a copy of the aforementioned print article, please contact me.

Please note that I am not requesting a fee waiver, I am requesting to be classified as a news media requester.

If copying fees exceed \$25, I reserve the right to review the documents that are responsive to this request in person so that I may select only those documents which I want photocopied.

In your agency's response, please identify all the systems of records searched to accommodate my request as well as the scope, depth and nature of the search. I fully expect a response to this request within 20 working days as provided for under FOIA.

Yours truly,

Grayson Flory